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PART I—Section 1

प्राधिकार से प्रकाशित

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No. 72] NEW DELHI, WEDNESDAY, JUNE 7, 1967/JYAISTHA 17, 1889

इस भाग में भिन्न पृष्ठ संख्या वी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour and Employment)

RESOLUTIONS

New Delhi, the 3rd June 1967

No. WB-2(3)/67.—By their Resolution No. WB-2(1)/62(1), dated the 3rd May, 1963, the Government of India appointed a Central Wage Board for the Iron Ore Mining Industry, with the following composition and terms of reference:

I. COMPOSITION

Chairman

Shri L.P. Dave

Independent Members

Shri M.L. Bakliwal, M.P.

Dr. R.M. Honavar.

Members representing Employers

Shri Suku Sen

Shri S.G.A. Naidu

Members representing Workers

Shri M. John

Shri B. Patra

Some changes in the membership of the Board became necessary in the course of time and these were notified.

II. TERMS OF REFERENCE

- (a) To determine the categories of employees (manual, clerical supervisory, etc.) who should be brought within the scope of the proposed wage fixation.
- (b) To work out a wage structure based on the principles of fair wages as set forth in the report of the Committee on Fair Wages;

Explanation—In evolving a wage structure, the Board should in addition to the considerations relating to fair wages, also take into account:—

- (i) the special features of the iron ore mining industry;
- (ii) the needs of the industry in a developing economy;
- (iii) the requirements of social justice;
- (iv) the impact of the wage structure so evolved, on the cost of production of industries consuming iron ore;
- (v) the need for adjusting wage differentials in such a manner as to provide incentives to workmen for advancing their skill;
- (vi) the desirability of extending the system of payment by results.

Explanation—In applying the system of payment by results the Board shall keep in view the need for fixing a minimum (fall-back) wage and also to safeguard against over work and undue speed.

- (c) To consider the demands for the introduction of a gratuity scheme on an industry-wise basis.

2. The Wage Board made recommendations for grant of two interim wage increases. These were accepted by Government and the parties were advised to implement them.

3. The Board's final report was received by Government on 21st February, 1967.

4. The Board's recommendations are unanimous. After careful consideration, the Government have decided to accept the recommendations of the Board as appended to this Resolution and to request the parties to implement them expeditiously.

5. The Government hope that joint endeavours will be made by the management of the Iron Ore Mines and the concerned labour unions to raise the existing level of productivity through technological improvements and better utilisation of the labour force.

6. The Government of India wish to express their appreciation of the Board's work in dealing with the matters referred to them and submitting an unanimous report.

ORDER

Ordered that a copy of the Resolution be communicated to all concerned.

Ordered also that the Resolution be published in the Gazette of India (Extraordinary) for general information.

APPENDIX

1. Extent of Industry Covered.

Iron ore mining industry will include all activities connected, directly or indirectly, with the mining of iron ore such as prospecting, survey, mining and preparation of ore, ore loading and ore handling, all engineering, mechanical and electrical installations, repairs and maintenance, transportation, stores, laboratory and quality control, medical and sanitation, welfare and education, watch and ward, etc. It will also include all administrative and record keeping offices in the mining areas and those in the districts within which the mining areas are situated. If beneficiation (washing and screening), sintering and pelletisation plants are also situated in the mining areas, they too will be covered by the iron ore mining industry.

2. Categories of Employees

(i) Unless otherwise stated, the Board's recommendations should apply to all workmen in the iron ore mining industry, time-rated as well as piece-rated whether employed directly or by or through contractors in raising or handling of iron ore or on work incidental thereto. They should also apply to clerical staff and to all workers doing administrative work, to health, medical, welfare and teaching staff and also to workers like telephone operators, peons, chowkidars, etc. who come within the purview of clause(s) of Sec. 2 of Industrial Disputes Act, 1947.

(ii) Board's recommendations should not apply to the following:—

- (a) Those who are temporarily or casually engaged on civil engineering, construction work relating to buildings, roads and expansion;
- (b) Apprentices and learners engaged for training in trades or jobs of skill under the provisions of the Apprentices Act, 1961 or under any specific contract.
- (c) Employees of head offices situated outside the mining areas.

3. Grouping of Mines for Wage Fixation

With a view to giving facilities of increasing wages in a phased manner to units of the industry wherein existing wages are low, the iron ore mines in the country should be classified into the undermentioned three groups or categories on the basis of the minimum level of wages (total emoluments) existing on 1st April, 1966:—

Group of Mines	Mines, wherein total minimum emoluments on 1-4-66 were	
	<i>Per month</i>	<i>Per day</i>
I	Below Rs. 91/-	Below Rs. 3·50
II	Rs. 91/- to Rs. 104/-	Rs. 3·50 to Rs. 4.00
III	Above Rs. 104/-	Above Rs. 4/-

4. Minimum Total Emoluments in Various Groups of Mines

The total minimum emoluments of the lowest paid unskilled workers corresponding to the All India average consumer price index number 166 (1949=100) with effect from 1st January, 1967 in the various groups of mines mentioned in clause 3 should be as follows:—

- (a) Rs. 104 per month or Rs. 4.00 per day in group I mines.
- (b) Rs. 117 per month or Rs. 4.50 per day in group II mines.
- (c) Rs. 130 per month or Rs. 5.00 per day in group III mines

The total emoluments mentioned here and in clauses 3 and 14 include basic wage, dearness allowance, cash value of foodgrain concession, if any, interim wage increases recommended by the Board, mining allowance, house rent allowance, if any, and fuel allowance if paid in cash and not the money value of fuel supplied or the amount paid to the Forest Department to enable the workers to collect fuel in the forest.

5. Split up of Total Minimum Emoluments

The total minimum emoluments should, in future, consist of basic wage and dearness allowance. When the total minimum emoluments are Rs. 130 per month or Rs. 5 per day the basic wage of the lowest paid unskilled worker should be Rs. 75 per month or Rs. 3 per day, and dearness allowance should be Rs. 55 per month or Rs. 2 per day.

6. Pay Scales for Workers other than Clerks and Teachers

There should be the undermentioned 12 monthly and daily basic scales of pay for time-rated workers in the industry other than clerks and teachers, subject to the recommendation about phased increase in the basic wage of the first four categories of workers. In column 4 of the statement below are the daily pay scales converted into monthly on the basis of 26 working days.

Sl. No.	Monthly pay scales 1	Nearest equivalent daily pay scales (on 26 working days basis) 3	Daily pay scales converted into monthly on the basis of 26 working days 4
			2
1. 75—2—85	.	. 3·00—0·08—3·40	78·00—2·08—88·40
2. 80—2—90	.	. 3·20—0·08—3·60	83·20—2·08—93·60
3. 85—2—95—2—110	.	. 3·40—0·10—4·40	88·40—2·60—114·40
4. 95—2—105—3—120	.	. 3·80—0·10—4·80	98·80—2·60—124·80
5. 110—3—125—4—145	.	. 4·35—0·12—4·95 0·15—5·70	113·10—3·12—128·70— 3·90—4·80·20
6. 130—5—180	.	. 5·10—0·20—7·10	132·60—5·20—184·60
7. 155—6—185—7—220	.	. 6·00—0·25—8·50	156·00—6·50—221·00
8. 170—8—210—10—260	.	. 6·60—0·35—10·10	171·60—9·10—262·60
9. 215—10—285—15—330	.	. 8·30—0·40—10·70—0·50— 12·70	215·80—10·40—278·20— 13·00—330·20
10. 255—10—275—15—395	.	. 9·85—0·50—11·35—0·55 15·20	256·10—13·00—295·10— 14·30—395·20
11. 325—15—475	.	. 12·50—0·55—15·25—0·60 —18·25	325·00—14·30—396·50— 15·60—474·50
12. 350—20—450—25—575	.	. 13·50—0·80—17·50—0·90 22·00	351·00—20·80—455·00— 23·40—572·00

7. Dearness Allowance

The dearness allowance should consist of 2 parts, one of which should vary with variations in the cost of living. The dearness allowance, which is a part of the total emoluments corresponding to the average All India consumer price index number 168 (1949=100) will not be reduced unless the index number goes below 144. The other part of the dearness allowance should rise or fall depending upon the changes in the index number above 168. The following should be the monthly or daily rates of dearness allowance:

Basic wage per month	Dearness allowance per month	Basic wage per day 1	Dearness Allowance per day
1	2	3	4
Upto Rs. 149/-	. . . Rs. 55·00	Upto Rs. 5·70	Rs. 2·00
Rs. 150—Rs. 299	. . . Rs. 60·00	Rs. 5·71—Rs. 11·50	Rs. 2·30
Rs. 300—Rs. 399	. . . Rs. 65·00	Rs. 11·51—Rs. 15·25	Rs. 2·50
Rs. 400 & above	Rs. 70·00	Above Rs. 15·35	Rs. 2·75

8. Variable Dearness Allowance.

Variable dearness allowance should be determined in the manner shown below:—

- (1) For every variation of 2 points in the All India consumer price index number beyond 166 (1949=100) the dearness allowance should vary @ Re. 1.50 per month for monthly-rated workers and @ Re. 0.06 per day for daily-rated workers. There shall be no adjustment for rise or fall of less than 2 points. If, for example, the index number goes upto 186 in one quarter, the workers will be entitled to an increase of Rs. 15 in the dearness allowance they are entitled to at the cost of living index number 166; if again it goes down to 178 in the next quarter, the increase will be Rs. 9 in the dearness allowance at 166.
- (2) In mines, wherein workers are supplied foodgrains, etc. at concessionary rates, the rise in the cash value of such concession, from 1st January, 1967 onwards, should be adjusted against the variable dearness allowance. The cash value of such concession should be determined by mutual agreement between the parties, failing which, by arbitration.
- (3) There should be no revision in dearness allowance either upward or downward in the first two months from the date of revised wage structure coming into effect, i.e. from 1st January, 1967. The first adjustment of variable dearness allowance should therefore come into effect from 1st March, 1967 on the basis of average All India Consumer price index number for the quarter ending 31st December, 1966, as soon as index numbers for this quarter become available. The revision in future should come into effect from 1st June, 1st September, 1st December and 1st March, on the basis of the average All India consumer price index numbers for the previous quarters ending 31st March, 30th June, 30th September and 31st December, respectively, as soon as such average index numbers are available.

9. Dearness Allowance as part of Emoluments.

The dearness allowance should continue to be treated as part of emoluments for the purpose for which it has been hitherto treated.

10. Phased Increase in Wages.

While the increments in the pay scales and the dearness allowance in the case of first four categories of workers, whose wages have been phased should remain unaffected, their basic wages should be phased on the basis of total emoluments in the three groups of mines mentioned in clause 3 as on 1st April, 1966 in the manner shown below:—

(in rupees)

Total minimum emoluments as on 1-4-66.	Catego- ries	Daily wages from				
		I-I-68	I-I-69	I-I-68	I-I-70	I-I-71
1	2	3	4	5	6	7
Below Rs. 3.50 per day.	I	2.00	2.25	2.50	2.75	3.00
	II	2.20	2.45	2.70	2.95	3.20
	III	2.40	2.65	2.90	3.15	3.40
	IV	2.80	3.05	3.30	3.55	3.80
Rs. 3.50 to Rs. 4/-per day.	I	2.50	2.75	3.00	..	..
	II	2.70	2.95	3.20	..	..
	III	2.90	3.15	3.40	..	..
	IV	3.30	3.55	3.80	..	..
Above Rs. 4/-per day.	I	3.00	..	..	..	..
	II	3.20	..	..	..	..
	III	3.40	..	..	..	..
	IV	3.80	..	..	..	..

Phasing of wages of similar categories of workers should be effected in respect of monthly-rated workers taking into account the basic wage and the dearness allowance prescribed for them.

11. Standardised Nomenclature.

The parties should take steps, as soon as possible to evolve standardised list of nomenclature in the industry.

12. Categorisation of workers, other than Clerks.

All the time-rated workers, other than clerks, should be categorised by mutual agreement between the representatives of employers and workers in a mine in view of their present emoluments, nature of duties, responsibilities, experience, etc. and any dispute arising therefrom should be settled by voluntary arbitration or adjudication.

13. Piece Rates.

The following provisions should govern the piece rates and fall-back wages in the industry:—

(i) With effect from 1st January, 1967, in no case piece-rated workers should get total wages less than the wages fixed for a minimum paid daily-rated worker. A piece-rated worker should therefore get, with effect from 1st January, 1967, a minimum wage of Rs. 4, Rs. 4.50 and Rs. 5 in the groups I, II, III mines, respectively. The piece-rated workers should get the same percentage increase in their piece rated as the minimum paid daily-rated workers of a corresponding category get in their total emoluments under the revised scheme of wages.

(ii) During the period of phasing, the piece-rated workers, corresponding to the first four categories of workers in whose case phasing of wages has been recommended, should be entitled to the same percentage increase in the piece-rates as would be given to the minimum paid daily-rated workers in the total emoluments of those categories with the proviso that their daily emoluments should, in no case, be less than the wages fixed for the minimum paid daily-rated workers in that category including the annual increment. For example, if the minimum wage of category I worker is raised from Rs. 78 to Rs. 104 per month, i.e. by 33 1/3% the piece-rates of the piece-rated workers of the corresponding category should also be increased by 33 1/3% for the same work load.

(iii) (a) A minimum fall-back wage should be paid to the piece-rated workers when they are unable to perform their norm of work under circumstances beyond their control such as when sufficient work is not available, when there is any natural impediments on account of which work cannot be carried on.

(b) To be entitled to the fall-back wage, workers should not leave the premises before their shift is over without prior permission of management. The daily fall-back wage should be 80% of the daily wage of a time-rated worker of corresponding category.

(c) The fall-back wage in the case of piece-rated workers corresponding to the first four categories, whose wages have been phased, should also be worked out in similar manner taking phased increase in future years into consideration for calculation of the fall-back wage on 80% basis.

14. Minimum Total Emoluments of Clerks.

The minimum total emoluments of the lowest paid clerks, with effect from 1st January, 1967, should be Rs. 175 per month consisting of Rs. 120 basic and Rs. 55 dearness allowance at the consumer price index number 166 (1949=100).

15. Pay Scales of Clerks.

The following should be the pay scales for three grades of clerks, with effect from 1st January, 1967:—

Grade	Pay Scales
III	Rs. 120—10—170—12—290 (5+10 years).
II	Rs. 190—12—250—15—400 (5+10 years).
I	Rs. 300—15—375—20—575 (5+10 years).

Semi-clerical
grades.

(in respect of
some mines only) Rs. 100—7—135—10—185 (5+10 years).

16. Dearness allowance for Clerks.

The rates of dearness allowance of the clerical staff should be the same as of the other categories of employees mentioned in clauses 7 and 8.

17. Categorisation of Clerical Staff.

The clerical staff, including those carrying on semi-clerical duties in respect of the mines concerned for which a separate grade has been prescribed, should be categorised by mutual agreement between the representatives of employers and workers in view of their present emoluments, nature of duties, responsibilities, experience, designation etc. and any dispute arising therefrom should be settled by voluntary arbitration or adjudication.

18. Teachers' Pay Scales.

The minimum monthly pay scales of a teacher should be Rs. 130—5—160—8—280. If, however, a teacher, who is employed at present, is not a trained one or is a non-matriculate, he should be placed in the scale of Rs. 110—3—134—4—175—5—180.

19. Dearness Allowance for Teachers.

Dearness Allowance in the case of teachers should be the same as of the other categories of workers mentioned in clauses 7 and 8.

20. Wages of Apprentices and Learners.

Whenever apprentices and learners, for whom an exemption has been granted by the Board, are appointed on a specific job during the period of their training they should be paid wages fixed for that job.

21. Fitment into the New Pay Scales.

Monthly-rated workers.

(1) In the case of an existing monthly-rated workman his existing total emoluments (consisting of basic pay, dearness allowance, cash value of foodgrain concessions, if any, interim wage increases, mining allowance, house rent allowance if any) should be worked out for December, 1966 or for the immediately preceding working month. If by placing at the minimum of the revised pay scale, a workman gets an immediate increase of Rs. 25 per month or more over his existing total emoluments, he would not be entitled to any increments on account of length of service and he should be fitted at that point.

If, however, a workman gets less than Rs. 25 per month when placed at the minimum of the revised scale, he should be entitled to one increment starting from the minimum of the revised scale for every three years of service or part thereof, which is not less than one year, in his present category subject to the following limitations:

- (i) A workman would not be entitled to any increment if he has not put in one completed year of service on 1st January, 1967.
- (ii) The increase in the existing total emoluments of the workman, by way of such increases, should not exceed the maximum amount of Rs. 25 per month, and in case, by the addition of the increments as recommended above, he gets more than Rs. 25 per month, he should be fixed at the previous point in that scale.
- (iii) In no case the increase in the existing total emoluments of the workman should be less than Rs. 13 per month. If, therefore, after fitting the workman in the above manner he gets an increase of less than Rs. 13 per month over his existing total emoluments, Rs. 13 per month is to be added to his existing total emoluments and if after that his wages (in the basic pay scale) are in the middle of the revised pay scale, he should be fixed at the next higher point in that scale.

Daily-Rated Workers.

(2) In the case of an existing daily-rated workman, whether he is in a daily scale or not, his existing total emoluments (consisting of basic pay, dearness allowance, cash value of foodgrain concessions, if any, interim wage increases, proportionate house rent allowance, if any) on 31st December 1966 or the immediately preceding working day, should be worked out. If by placing at the

minimum of the revised pay scale, a workman gets an immediate increase of Re. 1 per day or more over his existing total emoluments, he would not be entitled to any increments on account of length of service and he should be fitted at that point.

If, however, a workman gets less than Re. 1 per day when placed at the minimum of the revised pay scale, he should be entitled to one increment, starting from the minimum of the revised pay scale, for every three years of service or part thereof, which is not less than one year, in his present category subject to the following limitations.

- (i) A workman would not be entitled to any increment if he has not put in one completed year of service on 1st January, 1967,
- (ii) The increase in the existing total emoluments of the workman, by way of such increases, should not exceed the maximum amount of Re. 1 per day, and in case, by the addition of the increments as recommended above, he gets more than Re. 1 per day, he should be fixed at the previous point in that scale.
- (iii) In no case the increase in the existing total emoluments of the workman should be less than Re. 0.50 per day. If, therefore, after fitting the workman in the above manner he gets an increase of less than Re. 0.50 per day over his existing total emoluments, Re. 0.50 per day is to be added to his existing total emoluments and if after that his wages (in the basic pay scale) are in the middle of the revised pay scale, he should be fixed at the next higher point in that scale.

(3) By the above fitment all workmen are to be ensured a minimum increase of Rs. 13 per month or Re. 0.50 per day and a maximum increase of Rs. 25 per month or Re. 1 per day, with effect from 1st January 1967, except in cases where categorisation would entitle the workers a higher increase in their existing total emoluments.

(4) The minimum and maximum increase of Rs. 13 to Rs. 25 per month or Re. 0.50 to Re. 1 per day intended to be granted to a workman as an immediate increase in his total emoluments will be inclusive of the amount paid in excess of the 2nd interim wage increase granted by the Board and/or normal increments allowed after 1st April 1966. Details under any specific agreement with the workers that they would be adjusted from any further increase in wages granted by the Board by way of its final recommendations.

(5) If by reason of fitment the pay of the workers exceeds the maximum of the revised scale in which he is placed the excess amount should be treated as personal pay which should count for all purposes as part of basic pay and it should be adjusted against wage increase as a result of future promotion.

(6) In the case of workman whose wages have been phased, the basic wage as phased should be taken into account while working out the total emoluments in the revised pay scale. Such workers will not be entitled to the increments recommended above to give the benefit of service. These workers will of course be entitled to a minimum increase of Rs. 13 per month or Re. 0.50 per day in their existing total emoluments.

(7) The basic pay in the revised pay scales will be the total emoluments in the revised pay scales less the dearness allowance for the concerned category of workers.

(8) In the case of those workmen whose pay has been fixed in the revised pay scales after allowing increments to give service benefit, the date of future annual increments will be 1st January.

22. Holidays and Leave Facilities.

The workers in the mines, other than those of HSL, MISCO and NMDC should be allowed the undermentioned holidays and leave facilities, subject to the condition that if in any mine the existing holidays and leave facilities as a whole, are better than those recommended, they should continue.

- (i) Six holidays with full pay which should include the Republic Day and the Independence Day, and
- (ii) 18 days' sick leave with full pay on the basis of existing practice, if any, and where there is none, on the certificate of registered medical practitioner.

23. Gratuity Fund.

The Board has recommended that the Government should consider the possibility of creating a **gratuity fund out of a cess** to be levied for the purpose. This recommendation will be considered by the Government.

24. New Gratuity Scheme.

The existing gratuity schemes in the iron ore mines should continue unless and until a gratuity fund recommended in clause 23 is created. However, in the units of the industry, where there is no gratuity scheme at present a beginning should be made by introducing a gratuity scheme providing for the following terms and conditions:

Events entitling gratuity	Quantum of gratuity
(1) On death or on physical/mental incapacity, whilst in service, which renders the workman unfit for further service.	15 days' basic wages, for each completed year of service, subject to a maximum of 15 months' basic wages.
(2) { On superannuation at the age of not less than 58 years, after completion of not less than 5 years service.	Do.]
(3) { Voluntary retirement or resignation	
(a) Upto 10 years of service.	¶ Nil. ¶
(b) Over 10 years but below 15 years of service.	10 days' basic wages, for each completed year of service.
(c) Over 15 years of service.	15 days' basic wages for each completed year of service, subject to a maximum of 15 months' basic wages.]
(4) On termination of service by the employer :	
(a) Upto 5 years' service.	Nil.]
(b) Over 5 years' service.	15 days' basic wages for each completed year of service, subject to a maximum of 15 months' basic wages.

25. Exemption from the above Gratuity Scheme.

The mines belonging to HSL and NDMC will not be covered by the above scheme and instead that will be covered by the scheme of gratuity which has been introduced in HSL mines and which is going to be introduced in NDMC mines on the basis of the gratuity scheme for the public sector undertakings of the Government of India.

26. Option to Convert Grain Concessions, etc. into cash.

The present system of supplying foodgrains at concessional rates should continue unless the workers and management desire otherwise and agree to have the value of foodgrain concession as on 1st January, 1967 converted into cash. In that case from the said date onwards the workers would be entitled to full quantum of variable dearness allowance as recommended by the Board.

27. Permanency of workers.

The Board has recommended that all persons with six months' continuous service should be given facilities which are normally available to permanent workers. The Board has added that the break in service caused due to the stoppage of mining work in the rainy season, or by other reasons, on which the workers have no control, should be waived and this period of absence should count in the calculation of continuous service and that such workers return to work,

they should be given preference over the new workers. As classification of workmen, e.g. permanent, temporary, etc., is one of the matters to be provided for in the Standing Orders of establishments covered by the Industrial Employment (Standing Orders) Act, 1946, the above recommendation of the Board will apply only to those establishments which have no Standing Orders.

28. Contract Labour.

The Wage Board has recommended that there should be no discrimination between contract workers and regular workers in the matter of wages. This recommendation is accepted by the Government. The Board has also recommended that early steps should be taken to abolish contract system of labour in terms of the Supreme Court decision and the tripartite decision on this subject and that in particular, it should be the responsibility of the principal employer, wherever contract labour is continued, to see that all labour laws applicable are implemented. This matter is already being pursued by the Government who propose to undertake a general legislation on the subject of contract labour; no separate decision on this recommendation is called for.

29. Existing Earnings and Benefits.

The recommendations mentioned in the above clauses are without prejudice to the existing higher earnings, amenities, benefits, etc. which are at present available to the workers.

30. Period of Enforcement.

The above recommendations are for a period of 5 years taking effect from 1st January 1967 and remaining in force till 31st December 1971 in respect of all categories of workers to which the above recommendations would apply.

31. Wages for purposes of Production/Incentive bonus schemes.

The bonus earnings of the workers under the production/incentive bonus schemes, which are at present in operation in some mines will continue to be determined on the same basic wages in each case as were applicable prior to coming into force of this Board's recommendations till such time as in view of the changed circumstances, the production/incentive bonus schemes are not modified.

32. Prices of Iron Ore offered by MMTC

The Board has recommended that since for the purpose of iron ore export, the MMTC has a monopoly, Government should consider the advisability of devising a suitable machinery to look into the question of fixing reasonable prices for the iron ore. This matter will have to be considered by the Government as a matter of policy and overall consideration of the country.

33. Machinery for interpretation.

If there are any differences about the interpretation of the Board's recommendations, they should be settled in a bipartite meeting consisting of the representatives of employers and workers in the concerned unit. If no settlement is reached therein, the dispute should be settled either by conciliation or arbitration or adjudication as provided under the Industrial Disputes Act, 1947 and the Code of Discipline.

No. WB-2(4)/67.—By their Resolution No. WB-2(1)/62(2), dated the 3rd May, 1963, the Government of India appointed a Central Wage Board for Limestone and Dolomite Mining Industries with the following composition and terms of reference:—

I. COMPOSITION

Chairman

Shri L. P. Dave.

Independent Members

Shri Dhananjoy Mohanty.

Dr. R. M. Honavar.

Members representing Employers

Shri Suku Sen.

Shri K. L. Dua.

Members representing Workers

Shri V. G. Gopal.

Shri K. B. Chougule.

Some changes in the membership of the Board became necessary in the course of time and these were notified.

II. TERMS OF REFERENCE

- (a) To determine the categories of employees (manual, clerical, supervisory, etc.) who should be brought within the scope of the proposed wage fixation.

NOTE.—Workers employed in limestone mines/quarries, who have been covered by the recommendations made by the Central Wage Board for Cement Industry, will be excluded from the purview of this Wage Board.

- (b) To work out a wage structure based on the principles of wages as set forth in the report of the Committee on Fair Wages.

Explanation.—In evolving a wage structure, the Board should, in addition to the considerations relating to fair wages, also take into account:—

- (i) the **special features** of the limestone and dolomite mining industries;
- (ii) the **needs of these industries** in a developing economy;
- (iii) the **requirements of social justice**;
- (iv) the impact of the wage structure so evolved, on the cost of production of industries consuming limestone and dolomite;
- (v) the need for adjusting wage differentials in such a manner as to provide incentives to workmen for advancing their skill;
- (vi) the desirability of extending the system of payment by results.

Explanation.—In applying the system of payment by results the Board shall keep in view the need for fixing a minimum (fall-back) wage and also to safeguard against over-work and undue speed.

- (c) To consider the demands for the introduction of a gratuity scheme on an industry-wise basis.

2. The Wage Board made recommendations for grant of two interim wage increases. These were accepted by Government and the parties were advised to implement them.

3. The Board's final report was received by Government on 21st February, 1967.

4. The Board's recommendations are unanimous. After careful consideration, the Government have decided to accept the recommendations as appended to this Resolution and to request the parties to implement them expeditiously.

5. The Government hope that joint endeavours will be made by the managements of the Limestone and Dolomite Mines and the concerned labour unions to raise the existing level of productivity through technological improvements and better utilisation of the labour force.

6. The Government of India wish to express their appreciation of the Board's work in dealing with the matters referred to them and submitting an unanimous report.

ORDER

Ordered that a copy of the Resolution be communicated to all concerned.

Ordered also that the Resolution be published in the Gazette of India (Extraordinary) for general information.

APPENDIX

1. Extent of Industry Covered.

Limestone/Dolomite mining industry will include all activities connected directly or indirectly, with the mining of these minerals such as prospecting, survey, mining and preparation of these minerals, loading and unloading and their otherwise handling, all engineering, mechanical or electrical installations repairs and maintenance and transportation, stores, laboratory and quality control, medical and sanitation, welfare and education, watch and ward, etc. They will also include all administrative offices in the mining areas and those in the districts within which the mining areas are situated. Limestone mining will also cover all captive kilns if the owner of the kiln and the quarry from which the lime is being obtained for burning into the kilns is the same person and it is situated in the limestone mining area, i.e. within a radius of 10 kms. from the furthest limestone mine or quarry in the limestone mining centre.

The limestone mining industry will not include the following:

- (i) All limestone mines and quarries covered by the recommendations of the First Cement Wage Board and kilns connected therewith;
- (ii) Shahabad Stone Quarries and Shahabad (Gulbargah district) and stone quarries of the Associated Industries (Kotah) Ltd., Ramganjmundi;
- (iii) Lime kankar quarries and calcite mines.

2. Categories of Employees.

(i) Unless otherwise stated, the Board's recommendations should apply to all workmen in the industry, time-rated as well as piece-rated, whether employed directly or by or through contractors in raising or handling of limestone and dolomite or on work incidental thereto.

They should also apply to clerical staff and to all workers doing administrative work, to health, medical, welfare and teaching staff and also to workers like telephone operators, peons, chowkidars, etc. who come within the purview of clause (s) of section 2 of Industrial Disputes Act, 1947.

(ii) Board's recommendations should not apply to the following:—

- (a) Those who are temporarily or casually engaged on civil engineering, construction work relating to building, roads and expansion;
- (b) Apprentices and learners engaged for training in trades or jobs of skill under the provisions of the Apprentices Act, 1961 or under any specific contract;
- (c) Employees of head offices situated outside the mining areas.

3. Grouping of Mines for Wage Fixation.

With a view to giving facility of increasing wages in a phased manner to units of the industry wherein existing wages are low, the limestone and dolomite mines in the country should be classified into the undermentioned three groups or categories on the basis of the minimum level of wages (total emoluments) existing on 1st April 1966:

<u>Group of Mines</u>	<u>Mines/quarries wherein total minimum emoluments on 1st April 1966 were</u>	
	<u>Per month</u>	<u>Per day</u>
I	Below Rs. 91	Below Rs. 3.50.
II	Rs. 91 to Rs. 104	Rs. 3.50 to Rs. 4.
III	Above Rs. 104	Above Rs. 4.

4. Minimum Total Emoluments in Various Groups of Mines/Quarries.

The total minimum emoluments of the lowest paid un-skilled workers corresponding to the All India average consumer price index number 188 (1949=100) with effect from 1st January 1967 in the various groups of mines/quarries mentioned in clause 3 should be as follows:—

- (a) Rs. 104 per month or Rs. 4·00 per day in Group I mines/quarries;
- (b) Rs. 117/- per month or Rs. 4·50 per day in Group II mines/quarries;
- (c) Rs. 130/- per month or Rs. 5/- per day in Group III mines/quarries;

The total emoluments mentioned here and in clauses 3 and 13, include basic wage, dearness allowance, cash value of food grain concession, if any, interim wage increases recommended by the Board, mining allowance, house rent allowance, if any, and fuel allowance if paid in cash and not the money value of fuel supplied or the amount paid to the Forest Department to enable the workers to collect fuel in the forest.

5. Split up of Total Minimum Emoluments.

The total minimum emoluments should, in future, consist of basic wage and dearness allowance. When the total minimum emoluments are Rs. 130/- per month or Rs. 5/- per day, the basic wage of the lowest paid unskilled worker should be Rs. 75/- per month or Rs. 3/- per day, and dearness allowance should be Rs. 55/- per month or Rs. 2/- per day.

6. Pay Scales for Workers other than Clerks and Teachers.

There should be the undermentioned 12 monthly and daily basic scales of pay for time-rated workers in the industry other than clerks and teachers, subject to the recommendation about phased increase in the basic wage of the first four categories of workers. In column 4 of the statement below are the daily pay scales converted into monthly on the basis of 26 working days.

(in Rupees)

Sl. No.	Monthly Pay Scales 1	Nearest equivalent daily pay scales (on 26 working days' basis) 2	Daily pay scales converted into monthly on the basis of 26 working days 3
			4
1	1·75—2—85	3·00—0·08—3·40	78·00—2·08—88·40
2	2·80—2—90	3·20—0·08—3·60	83·20—2·08—93·60
3	3·85—2—95—3—110	3·40—0·10—4·40	88·40—2·60—114·40
4	4·95—2—105—3—120	3·80—0·10—4·80	98·80—2·60—124·80
5	5·110—3—125—4—145	4·35—0·12—4·95—0·15— 5·70	113·10—3·12—128·70— 3·00—148·20
6	6·130—5—180	5·10—0·80—7·10	132·60—5·20—184·60
7	7·155—6—185—7—220	6·00—0·25—5·50	156·00—6·50—221·00
8	8·170—8—210—10—260	6·60—0·35—10·10	171·60—9·10—262·60
9	9·215—10—285—15—330	8·30—0·40—10·70—0·50— 12·70	215·80—10·40—278·20— 13·00—330·20
10	10·255—10—275—15—395	9·85—0·50—11·35—0·55— 15·20	256·10—13·00—295·10— 14·30—395·20
11	11·325—15—475	12·50—0·55—15·25—0·6— 18·25	325·00—14·30—396·50— 15·60—474·50
12	12·350—20—450—25—575	13·50—0·80—10·50—0·90— 22·00	351·00—20·80—453·00— 23·40—572·00

7. The dearness allowance should consist of two parts, one of which should vary with variations in the cost of living. The dearness allowance which is a part of the total emoluments corresponding to the average All India consumer price index number 166 (1949=100), will not be reduced unless the index number goes below 144. The other part of the dearness allowance should rise or fall depending upon the changes in the index number above 166. The following should be the monthly or daily rates of dearness allowance:

Basic wage per month	Dearness Allowance per month.	Basic wage per day	Dearness Allowance, per day.
I	2	3	4
	Rs.	Rs.	Rs.
Upto Rs. 149	55.00	Upto 5.70	2.00
150—299	60.00	5.71—11.50	2.30
300—399	65.00	11.51—15.35	2.50
400 & above	70.00	Above 15.35	2.75

8. Variable Dearness Allowance.

Variable dearness allowance should be determined in the manner shown below:—

- (1) For every variation of 2 points in the All India consumer price index beyond 166 (1949=100) the dearness allowance should vary @ Re. 1.50 per month for monthly-rated workers and Re. 0.06 per day for daily-rated workers. There shall be no adjustment for rise or fall of less than 2 points. If, for example, the index number goes upto 186 in one quarter, the workers will be entitled to an increase of Rs. 15/- in the dearness allowance they are entitled to at the cost of living index number 166; if again it goes down to 178 in the next quarter, the increase will be Rs. 9/- in the dearness allowance at 166.
- (2) In mines and quarries, wherein workers are supplied foodgrains, etc. at concessional rates, the rise in the cash value of such concession from 1st January 1967 onwards, should be adjusted against the variable dearness allowance. The cash value of such concession should be determined by mutual agreement between the parties, failing which, by arbitration.
- (3) There should be no revision in dearness allowance either upward or downward in the first two months from the date of revised wage structure coming into effect, i.e. from 1st January 1967. The first adjustment of variable dearness allowance should therefore come into effect from 1st March 1967 on the basis of average All India consumer price index number for the quarter ending 31st December 1966, as soon as index numbers for this quarter become available. The revision in future should come into effect from 1st June, 1st September, 1st December and 1st March, on the basis of the average All India consumer price index numbers for the previous quarters ending 31st March, 30th June, 30th September and 31st December, respectively, as soon as such average index numbers are available.

9. Phased increase in Wages.

While the increments in the pay scales and the dearness allowance in the case of first four categories of workers, whose wages have been phased should remain unaffected, their basic wages should be phased on the basis of total emoluments

in the three groups of mines mentioned in Clause 3 as on 1st April 1966 in the manner shown below:—

Total minimum emoluments as on 1-4-66.	Categories	Daily Wages from						
		I-I-67	I-I-68	I-I-69	I-I-70	I-I-71		
		1	2	3	4	5	6	7
Below Rs. 3·50 per day	I			2·00	2·25	2·50	2·75	3·00
	II			2·20	2·45	2·70	2·95	3·20
	III			2·40	2·65	2·90	3·15	3·40
	IV			2·80	3·05	3·30	3·55	3·80
Rs. 3·50 to Rs. 4/- per day	I			2·50	2·75	3·00	..	..
	II			2·70	2·95	3·20	..	..
	III			2·90	3·15	3·40	..	..
	IV			3·30	3·55	3·80	..	..
Above Rs. 4/- per day	I			3·00	..	..	..	..
	II			3·20	..	..	..	..
	III			3·40	..	..	..	..
	IV			3·80	..	..	..	..

Phasing of wages of similar categories of workers should be effected likewise in respect of monthly-rated workers taking into account the basic wage and the dearness allowance prescribed for them.

10. Standardised Nomenclature.

The parties should take steps, as soon as possible to evolve standardised list of nomenclature in the industry.

11. Categorisation of Workers, other than Clerks.

All the time-rated workers, other than clerks, should be categorised by mutual agreement between the representatives of employers and workers in a mine in view of their present emoluments, nature of duties, responsibilities, experience etc. and any dispute arising therefrom should be settled by voluntary arbitration or adjudication.

12. Piece Rates.

The following provisions should govern the piece-rates and fall-back wages in the industry:—

- (i) With effect from 1st January 1967, in no case piece-rated workers should get total wages less than the wages fixed for a minimum paid daily-rated worker. A piece-rated worker should therefore get, with effect from 1st January 1967, a minimum wage of Rs. 4/-, Rs. 4·50 and Rs. 5/- in the groups I, II, III mines, respectively. The piece-rated workers should get the same percentage increase in their piece rates as the minimum paid daily-rated workers of a corresponding category get in their total emoluments under the revised scheme of wages.
- (ii) During the period of phasing, the piece-rated workers, corresponding to the first four categories of workers in whose case phasing of wages has been recommended, should be entitled to the same percentage increase in the piece rates as would be given to the minimum paid daily-rated workers in the total emoluments of those categories with the proviso that their daily emoluments should, in no case, be less than the wages fixed for the minimum paid daily-rated workers in that category including the annual increment. For example, if the minimum wage of category I worker is raised from Rs. 78/- to

Rs. 104/- per month, i.e. by 33.1/3 per cent the piece rates of the piece-rated workers of the corresponding category should also be increased by 33.1/3 per cent for the same work load.

- (iii) (a) A minimum fall-back wage should be paid to the piece-rated workers when they are unable to perform their norm of work under circumstances beyond their control such as when sufficient work is not available, when there are any natural impediments on account of which work cannot be carried on.
- (b) To be entitled to the fall-back wage, workers should not leave the premises before their shift is over without prior permission of management. The daily fall-back wage should be 80 per cent of the daily wage of a time-rated worker of corresponding category.
- (c) The fall-back wage in the case of piece-rated workers corresponding to the first four categories, whose wages have been phased, should also be worked out in similar manner taking phased increase in future years into consideration for calculation of the fall-back wage on 80 per cent basis.

13. Minimum Total Emoluments of Clerks.

The minimum total emoluments of the lowest paid clerks, with effect from 1st January 1967, should be Rs. 175/- per month consisting of Rs. 120/- basic and Rs. 55/- dearness allowance at the consumer price index number 106 (1949=100).

14. Pay Scales of Clerks.

The following should be the pay scales for three grades of clerks, with effect from 1st January 1967:—

Grade	Pay Scales		
III	Rs. 120	—10	—170—12—290 (5+10 years)
II	Rs. 190	—12	—250—15—400 (5+10 years)
I	Rs. 300	—15	—375—20—575 (5+10 years)

Semi-clerical grade

(in respect of some mines only)

Rs. 100—7—135—10—185 (5+5 years)

15. Dearness Allowance for Clerks.

The rates of dearness allowance of the clerical staff should be the same as of the other categories of employees mentioned in Clauses 7 and 8.

16. Categorisation of Clerical Staff.

The clerical staff, including those carrying on semi-clerical duties in respect of the mines/quarries concerned for which a separate grade has been prescribed, should be categorised by mutual agreement between the representatives of employers and workers in view of their present emoluments, nature of duties, responsibilities, experience, designation, etc. and any dispute arising therefrom should be settled by voluntary arbitration or adjudication.

17. Teachers' Pay Scales.

The minimum monthly pay scales of a teacher should be Rs. 130—5—160—8—280. If however, a teacher who is employed at present, is not a trained one or is a non-matriculate, should be placed in the scale of Rs. 110—3—131—4—175—5—180.

18. Dearness Allowance for Teachers.

Dearness allowance in the case of teachers should be the same as of the other categories of workers mentioned in clauses 7 and 8.

19. Wage of Apprentices and Learners.

Whenever apprentices and learners, for whom an exemption has been granted by the Board, are appointed on a specific job during the period of their training they should be paid wages fixed for that job.

**20. Fitment into the New Pay Scales
Monthly-rated workers.**

(1) In the case of an existing monthly-rated workman, his existing total emoluments (consisting of basic pay, dearness allowance, cash value of foodgrain concessions, if any, interim wage increase, mining allowance, house rent allowance, if any) should be worked out for December 1966 or for the immediately preceding working month. If by placing at the minimum of the revised pay scale, a workman gets an immediate increase of Rs. 25/- per month or more over his existing total emoluments, he would not be entitled to any increments on account of length of service and he should be fitted at that point.

If however, a workman gets less than Rs. 25/- per month when placed at the minimum of the revised scale, he should be entitled to one increment starting from the minimum of the revised scale for every three years of service or part thereof which is not less than one year, in his present category subject to the following limitations:

- (i) A workman would not be entitled to any increment if he has not put in one completed year of service on 1st January 1967.
- (ii) The increase in the existing total emoluments of the workman, by way of such increases, should not exceed the maximum amount of Rs. 25/- per month, and in case, by the addition of the increments as recommended above, he gets more than Rs. 25/- per month, he should be fixed at the previous point in that scale.
- (iii) In no case the increase in the existing total emoluments of the workman should be less than Rs. 13/- per month. If, therefore, after fitting the workman in the above manner he gets an increase of less than Rs. 13/- per month over his existing total emoluments Rs. 13/- p.m. is to be added to his existing total emoluments and if after that his wages (in the basic pay scale) are in the middle of the revised pay scale, he should be fixed at the next higher point in that scale.

Daily-rated workers.

(2) In the case of an existing daily-rated workman, whether he is in a daily scale or not, his existing total emoluments (consisting of basic pay, dearness allowance, cash value of foodgrain concessions, if any, interim wage increases, proportionate house rent allowance, if any) on 31st December, 1966 or the immediately preceding working day, should be worked out. If by placing at the minimum of the revised pay scale, a workman gets an immediate increase of Re. 1/- per day or more over his existing total emoluments, he would not be entitled to any increments on account of length of service and he should be fitted at that point.

If, however, a workman gets less than Re. 1/- per day when placed at the minimum of the revised pay scale, he should be entitled to one increment, starting from the minimum of the revised pay scale, for every three years of service or part thereof, which is not less than one year, in his present category subject to the following limitations:

- (i) A workman would not be entitled to any increment if he has not put in one completed year of service on 1st January 1967.
- (ii) The increase in the existing total emoluments of the workman, by way of such increases, should not exceed the maximum amount of Re. 1/- per day and in case, by the addition of the increment as recommended above, he gets more than Rs. 1/- per day, he should be fixed at the previous point in that scale.

(iii) In no case the increase in the existing total emoluments of the workman should be less than Re. 0.50 per day, if, therefore, after fitting the workman in the above manner he gets an increase of less than Re. 0.50 per day over his existing total emoluments, Re. 0.50 per day is to be added to his existing total emoluments and if after that his wages (in the basic pay scale) are in the middle of the revised pay scale he should be fixed at the next higher point in that scale.

(3) By the above fitment all workmen are to be ensured a minimum increase of Rs. 13/- per month or Re. 0.50 per day and a maximum increase of Rs. 25/- per month or Re. 1/- per day, with effect from 1st January 1967, except in cases where categorisation would entitle the workers a higher increase in their existing total emoluments.

(4) The minimum and maximum increase of Rs. 13/- to Rs. 25/- per month or Re. 0.50 to Re. 1/- per day intended to be granted to a workman as an immediate increase in his total emoluments will be inclusive of the amount paid in excess of the 2nd interim wage increase granted by the Board and/or normal increments allowed after 1st April 1966 under any specific agreement with the workers that they would be adjusted from any further increase in wages granted by the Board by way of its final recommendations.

(5) If by reason or fitment the pay of the worker exceeds the maximum of the revised scale in which he is placed the excess amount should be treated as personal pay which should count for all purposes as part of basic pay and it should be adjusted against wage increase as a result of future promotion.

(6) In the case of workmen whose wages have been phased, the basic wage as phased should be taken into account while working out the total emoluments in the revised pay scale. Such workers will not be entitled to the increments recommended above to give the benefit of service. These workers will of course be entitled to a minimum increase of Rs. 13/- per month or Re. 0.50 per day in their existing total emoluments.

(7) The basic pay in the revised pay scales will be the total emoluments in the revised pay scales less the dearness allowance for the concerned category of workers.

(8) In the case of those workmen whose pay has been fixed in the revised pay scales after allowing increments to give service benefit, the date of future annual increments will be 1st January.

21. Holidays and leave facilities.

The workers in the mines, other than those of HSL, MISL should be allowed the undermentioned holidays and leave facilities, subject to the condition that if in any mine the existing holidays and leave facilities as a whole, are better than those recommended, they should continue.

- (i) Six holidays with full pay which should include the Republic Day and the Independence Day.
- (ii) 18 days sick leave with full pay on the basis of existing practice, if any, and where there is none, on the certificate of registered medical practitioner.

22. Gratuity Fund.

The Board has recommended that the Government should consider the possibility of creating a gratuity fund out of a cess to be levied for the purpose. This recommendation will be considered by the Government.

23. New Gratuity Scheme.

The existing gratuity schemes in the limestone/dolomite mines/quarries should continue unless and until a gratuity fund recommended in clause 22 is created. However, in the units of the industry, where there is no gratuity scheme at present a beginning should be made by introducing a gratuity scheme providing for the following terms and conditions:—

Events entitling gratuity	Quantum of gratuity
(1) On death or on physical/mental incapacity, whilst in service, which renders the workman unfit for further service.	15 days' basic wages for each completed year of service, subject to a maximum of 15 months basic wages.
(2) On Superannuation at the age of not less than 58 years, after completion of not less than 5 years' service.	Do.
(3) Voluntary retirement or resignation :—	
(a) Upto 10 years of service	Nil.
(b) Over 10 years but below 15 years of service.	10 days' basic wages, for each completed year of service.
(c) Over 15 years of service.]	15 days' basic wages for each completed year of service, subject to a maximum of 15 months' basic wages.
(4) On termination of service by the employers :	
(a) Upto 5 years' service.	Nil
(b) Over 5 years' service.	15 days' basic wages for each completed year of service, subject to a maximum of 15 months' basic wages.

24. Option to convert grain concessions, etc. into cash.

The present system of supplying foodgrains at concessional rates should continue unless the workers and management desire otherwise and agree to have the value of foodgrain concession as on 1st January 1967 converted into cash. In that case from the said date onwards the workers would be entitled to full quantum of variable dearness allowance as recommended by the Board.

25. Permanency of workers.

The Board has recommended that all persons with six months' continuous service should be given facilities which are normally available to permanent workers. The Board has added that the break in service caused due to the stoppage of mining work in the rainy season, or by other reasons, on which the workers have no control, should be waived and this period of absence should count in the calculation of continuous service, and that when such workers return to work, they should be given preference over the new workers.

As classification of workmen, e.g. permanent, temporary, etc., is one of the matters to be provided for in the Standing Orders of establishments covered by the Industrial Employment (Standing Orders) Act, 1946, the above recommendation of the Board will apply only to those establishments which have no Standing Orders.

26. Contract labour.

The Wage Board has recommended that there should be no discrimination between contract workers and regular workers in the matter of wages. This recommendation is accepted by the Government. The Board has also recommended that early steps should be taken to abolish contract system of labour in terms of

the Supreme Court decision and the tripartite decision on this subject and that in particular, it should be the responsibility of the principal employer, wherever contract labour is continued, to see that all labour laws applicable are implemented. This matter is already being pursued by the Government who propose to undertake a general legislation on the subject of contract labour; no separate decision on this recommendation is called for.

27. Existing Earnings and Benefits.

The recommendations mentioned in the above clauses are without prejudice to the existing higher earnings, amenities, benefits, etc. which are at present available to the workers.

28. Period of Enforcement.

The above recommendations are for a period of 5 years taking effect from 1st January, 1967 and remaining in force till 31st December 1971 in respect of all categories of workers to which the above recommendations would apply.

29. Wages for purpose of Production/Incentive Bonus Schemes.

The bonus earnings of the workers under the production/incentive bonus schemes, which are at present in operation in some mines/quarries will continue to be determined on the same basic wage in each case as was applicable prior to coming into force of this Board's recommendations till such time as in view of the changed circumstances, the production/incentive bonus schemes are not modified.

30. Machinery for interpretation.

If there are any differences about the interpretation of the Board's recommendations, they should be settled in a bipartite meeting consisting of the representatives of employers and workers in the concerned unit. If no settlement is reached therein, the dispute should be settled either by conciliation or arbitration or adjudication as provided under the Industrial Disputes Act, 1947, and the Code of Discipline.

P. M. NAYAK, Addl. Secy.